

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

## **PROTECTIVE ORDER**

- V. -

20 Cr. 513 (AT)

EVA CHRISTINE RODRIGUEZ and  
SERGIO LORENZO RODRIGUEZ,

## Defendants.

THE HONORABLE ANALISA TORRES, United States District Judge:

WHEREAS EVA CHRISTINE RODRIGUEZ and SERGIO LORENZO RODRIGUEZ, the defendants, have sought certain discovery materials from the Government pursuant to Federal Rule of Criminal Procedure 16 ("Rule 16"), that contain and/or reflect personal identifying information, such as names, dates of birth and social security numbers, and other confidential information, such as mortgage and other financial account records, for or relating to individuals other than the defendants;

WHEREAS the Government intends to produce certain of these materials in response to the defendants' discovery requests;

WHEREAS pursuant to Federal Rule of Criminal Procedure 16(d)(1) and 18 U.S.C. § 3771, the Government desires to protect personal identifying information and other confidential information contained in the materials it produces, and the parties

agree that this Order is necessary and appropriate for that purpose;

IT IS HEREBY ORDERED:

1. Discovery materials produced by the Government pursuant to its discovery obligations to the defendants or their counsel that contain and/or reflect personal identifying information and/or confidential information are deemed "Confidential Information." To designate material covered by this Order, the Government shall so designate, on the material itself, in an accompanying cover letter, or on a disk cover, by using the following designation: "Confidential Information - Subject to Protective Order."

2. Confidential Information disclosed to the defendants or their counsel pursuant to this Order:

(a) Shall be used only in connection with proceedings in United States v. Eva Christine Rodriguez and Sergio Lorenzo Rodriguez, 20 Cr. 513 (AT);

(b) Shall be kept in the sole possession of the defendants' counsel or the defendants;

(c) Shall not be copied or otherwise recorded by the defendants;

(d) Shall not be disclosed in any form by the defendants (including to the defendants' relatives) or by their counsel except as set forth in paragraph 2(e) below;

(e) May be disclosed only by the defendants' counsel and only to the following persons (hereinafter "Designated Persons"):

- (i) the defendants;
- (ii) investigative, secretarial, clerical, paralegal and student personnel employed full-time or part-time by the defendant's attorney;
- (iii) independent expert witnesses, investigators or advisors retained by the defendant in connection with this action;
- (iv) potential fact witnesses;
- (v) such other persons as hereafter may be authorized by the Court upon such motion by the defendant;

(f) Shall be either (i) returned to the Government following the conclusion of this case, together with any and all copies thereof, or (ii) destroyed together with any and all copies thereof, with defendants' counsel verifying in writing to the Government that such destruction has taken place;

3. The defendants and their counsel shall provide a copy of this Order to Designated Persons to whom Confidential Information is disclosed pursuant to paragraphs 2(e). Designated Persons shall be subject to the terms of this Order.

4. If Marne Lenox, Esq., is relieved as counsel for defendant Eva Christine Rodriguez, or if Irving Cohen, Esq. is relieved as counsel for defendant Sergio Lorenzo Rodriguez, then the Confidential Information and any copies thereof in the relieved counsel's possession will be returned to the Government by the relieved counsel unless replacement counsel agrees to be subject to this Order.

5. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in this action, or to any judge or magistrate of this Court for purposes of this action.

Dated: New York, New York  
October 19, 2020

SO ORDERED:



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ANALISA TORRES  
United States District Judge